

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DAKOTA ANTHONY
THOMPSON and DONAVON DOUGLAS
ANDERSON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
June 24, 2003

v

No. 242196
Wayne Circuit Court
Family Division
LC No. 00-387264

VANESSA MARIE THOMPSON,

Respondent-Appellant,

and

TIM ANDERSON, a/k/a TIM HENDERSON, and
ERIC JAMES RIGLEY,

Respondents.

Before: Sawyer, P.J., and Meter and Schuette, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the circuit court order terminating her parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i), (g) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The circuit court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Upon finding that a statutory basis existed, the court was required to terminate respondent-appellant's parental rights unless the evidence on the whole record indicated that termination was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

On appeal, respondent-appellant argues only that the circuit court erred in not finding that termination was contrary to the children's best interests. Respondent-appellant did not visit with the children for over seven months and did not make any attempt to contact them or provide any

plan for their custody. She failed to rectify the conditions that led to adjudication. Respondent-appellant lacked suitable housing and income, failed to benefit from parenting classes, failed to establish a drug-free lifestyle, and failed to participate in domestic violence and individual counseling. Respondent-appellant also failed to provide proper care or custody for the children during the two years that they were in foster care, and, given her failure to comply with the treatment plan, there was no reasonable expectation that she would have been able to do so within a reasonable time. Lastly, given her conduct and capacity, it was very likely that the children would have been harmed if returned to her care. Our review of the record does not suggest that the court clearly erred. The evidence, while establishing that statutory grounds clearly existed to terminate respondent-appellant parental rights, also does not lead to a finding that termination of parental rights was contrary to the children's best interests.

Affirmed.

/s/ David H. Sawyer

/s/ Patrick M. Meter

/s/ Bill Schuette